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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT

In the application of:)	
Kimberlin et al)	Group Art Unit: 3673
Serial No. 10/072,149)	Examiner: Saldano, Lisa M.
Filed: February 6, 2002)	
For: EROSION CONTROL REINFORCEMENT)	
MAT)	

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on or before

Date November 3, 2003
Janet McFree

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is applicant's statement of the substance of a telephonic interview conducted on 05 October 2004 between the Examiner, the Examiner's supervisor Heather Shackelford, the undersigned attorney of record, and Frank Uxa, the undersigned's supervisor also an attorney of record.

Applicant has now received the Examiner's Interview Summary mailed on October 13, 2004. The undersigned has carefully reviewed the Examiner's Statement of the Substance of the Interview, and generally agrees with the Examiner that said Statement summarizes what was discussed during the interview.

Applicant now summarizes the substance of the interview as follows. During the interview, the undersigned stated that the

prior art failed to teach the limitations of claims 1 and 28. The undersigned stated that the Examiner used impermissible hindsight reasoning to support her rejection of the claims. The undersigned summarized applicant's position regarding a Proposed Amendment and Description of Arguments submitted to the Examiner by facsimile on 27 September 2004. It appears that the applicant and the Examiner have reached an impasse on this particular issue.

Attorneys for applicant further stated that that the prior art fails to teach an erosion control matting system comprising an erosion control matting including two different netting materials covering top and a bottom surfaces of a fibrous core layer. Attorney Uxa pointed out that none of the prior art references, including the reference of Prunty (which the Examiner has pointed out teaches netting on both sides of a fiber layer), teach two different netting materials. The Examiners noted that Prunty did not appear to teach different nettings, but that adding such a limitation to the subject claims would raise new issues and would require an additional search.

The undersigned pointed out that the previously filed amendment (Response D, filed on April 30, 2004) included language in claim 28 that provided such a limitation (i.e. "relatively heavy weight biaxial geogrid...relatively lightweight grid-like netting material"). The Examiner noted that this claim 28 had been rejected (in the office action dated June 9, 2004) based on the grounds that such language was indefinite under 35 U.S.C. 112.

It is believed that the interview was beneficial in clarifying to applicant the Examiner's position and in advancing prosecution of the application.

Accordingly, following the interview, an amendment (Response E, filed on October 12, 2004) was filed which applicant believes

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more clearly defines the present invention over the prior art of record.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Linda A. Fox".

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